

hereby instructed, to procure keys for all the desks in the Senate, which are not provided with keys.

Adopted.

Mr. Allen presented the petition of the heirs of Jesse Watson, deceased; referred to the committee on Public Lands.

On motion of Mr. Guinn, the Senate adjourned until tomorrow morning, at 8 o'clock.

TUESDAY, July 8th, 1856.

The Senate was called to order by the President, pursuant to adjournment—prayer by the Chaplain—roll called—quorum present,

The Journal of yesterday was read and adopted.

Mr. Lott moved the appointment of a committee of three to act with a committee from the House, to inform the Governor that the the Houses were ready to proceed to business—carried.

Messrs. Lott, Hord and Russell, were appointed the committee.

Mr. Grimes presented the petition of Jacob H. Shephard; referred to the committee on Private Land Claims, No. 2.

Mr. McCulloch presented the petition of Henry B. King; referred to the committee on Private Land Claims, No. 2.

Mr. Pirkey presented the petition of J. H. Smyther; referred to the committee on Private Land Claims, No. 1.

Mr. Taylor of Fannin, presented the petition of Samuel S. Washburn's heirs; referred to the committee on Private Land Claims, No. 2.

Mr. Taylor of Houston, presented the memorial of the members of the County Court of Houston county, in reference to marks and Brands; referred to the committee on the Judiciary.

Mr. Taylor of Fannin, presented the memorial of Amos E. Morris; referred to the committee on Private Land Claims, No. 2.

Mr. Scott presented the petition of James H. Battle; referred to the committee on State Affairs.

Mr. Maverick presented the petition of Francisco Antonio de Los Rios; referred to the committee on Private Land Claims, No. 2.

Mr. Martin moved to take up the petition of the citizens of Limestone county, and re-refer it to the committee on Counties and County Boundaries. Carried.

Mr. Allen introduced a bill to legalize surveys made by

county and District Surveyors; read 1st and 2nd times, and referred to the committee on Public Land.

Mr. Flanagan introduced a "bill for the relief of the heirs of John B. Adams and Ann Adams," and a bill for the relief of the heirs of William McFaddin; read 1st and 2nd times, and referred to the committee on Private Land Claims, No. 2.

Mr. Taylor of Cass, introduced a "bill for the relief of G. W. L. Haynes; read 1st and 2nd times and referred to the committee on Private Land Claims, No. 2.

A message was received from the House informing the Senate of the appointment of a committee, consisting of Messrs. Locke, Thompson and Arnold, to act with a like committee from the Senate, in informing the Governor that the two Houses are ready to proceed to business.

ORDERS OF THE DAY.

Report of the Judiciary committee on a Joint resolution proposing an amendment to the Constitution; read and on motion of Mr. Armstrong, laid on the table.

A message was received from the House informing the Senate of the election of the following gentlemen as officers of that body, for the present session:

Hugh Haynie, chief clerk; Thos. P. Ochiltree, 1st assistant clerk; W. L. Chalmers, 2nd assistant clerk; Chas. Coney, Engrossing clerk; B. E. Roper, Enrolling clerk; W. B. McShan, Sargeant-at-arms; T. B. Plasters, assistant Sargeant-at-arms; Nathan Weaver, doorkeeper; Thos. Melton, assistant doorkeeper; Robert Cotter, Messenger.

Report of the committee on Private Land Claims, No. 1, on a "bill for the relief of Rufus E. Campbell; read.

Mr. Caldwell moved the reconsideration of the bill—Lost; the bill read 2nd time, and ordered to be engrossed.

A bill for the relief of the heirs of Early Robbins, with the report of the committee on Private Land Claims, No. 1; read 2d time.

The Senate then refused to engross the bill.

On motion of Mr. Whitaker, the vote refusing the engrossment of the bill, was reconsidered.

On motion of Mr. Palmer, the vote ordering the engrossment of the bill for the relief of Rufus E. Campbell, was reconsidered and the bill, recommitted.

On motion of Mr. Whitaker, the "bill for the relief of the heirs of Early Robbins," was also recommitted.

A bill to provide for the publication of a new map of Texas; read 2nd time, and on motion of Mr. Caldwell referred to committee on the Judiciary.

A bill for the relief of the heirs of Evan Reid, deceased; read 2d time, and on motion of Mr. Hill, laid on the table.

A bill for the relief of the heirs of Christopher Coats; read 2nd time and ordered to be engrossed.

Mr. Lott, chairman of the committee on the part of the Senate, appointed to inform the Governor of readiness of the Senate and House to proceed to business, reported that the committee had performed that duty.

A bill requiring the Commissioner of the General Land Office, to issue a land certificate to James McDonald; read 2d time, and ordered to be engrossed.

A bill to provide for the safe keeping of the Libraries of the Supreme Court, at the several branches thereof; read 2nd time.

On motion of Mr. Flanagan, the blank in the 3d section was filled, by inserting \$100; the bill was then ordered to be engrossed.

A bill for the relief of Richard Alderson; read 2nd time, and on motion of Mr. Scott, laid on the table.

A bill for the relief of Stephen D. Rainey; together with the report of the committee on Private Land Claims, No. 1—Withdrawn by Mr. Taylor of Fannin, by permission of the Senate.

On motion of Mr. Taylor of Fannin, a bill for the relief of Richard Alderson was taken up and ordered to be engrossed.

A bill to amend an act, entitled an Act to incorporate the Texas Monumental committee; read 2nd time.

On motion of Mr. Taylor of Cass, the bill was referred to the committee on the Judiciary.

A bill for the relief of the heirs of Patrick Dunn; read 2nd time, and on motion of Mr. Hill, laid on the table.

A bill for the relief of Robert Baldwin; read 2nd time, and ordered to be engrossed.

A bill for the relief of the heirs of James M. Rose; read 2nd time, and ordered to be engrossed.

A bill for the protection of Tax Collectors and their securities, under the Republic; read 2nd time, and on motion of Mr. Palmer, referred to the committee on the Judiciary.

A bill to relinquish the right of the State to certain lands,

therein named; read 2nd time, and on motion of Mr. Hill, laid on the table.

A bill for the relief of Wm. R. Elliot; read 2nd time, and on motion of Mr. Flanagan, laid on the table.

The following message was received from the Governor:

EXECUTIVE OFFICE,

AUSTIN, Texas, 7th July, 1856. }

Gentlemen of the Senate,

and of the House of Representatives:

I congratulate you on your return to the Capital, to resume the labors of your session. The extreme heat renders this an unfavorable season for legislation, yet I trust that you will be able speedily to perfect those measures, which the public interest demands, and return in health to your homes.

Most of the important questions that will occupy your attention, were so fully discussed in the communication I had the honor to make at the commencement of your session, that I do not deem it necessary, at this time, to do more in regard to them than to urge your adoption of such as have not been finally acted upon.

One of the subjects that will claim much of your attention, will be the Reports of the Commissioners appointed to prepare a Code, amending, supplying, revising, digesting and arranging the laws, civil and criminal, of the State.

These Reports consist, 1st, of a Code of Civil Procedure; 2nd, a Code of Criminal Procedure; 3rd, a Penal Code; and 4th, a Revision of our Statute Laws of a general nature. I have examined all these Reports with much care, and while I find some objections to them, I believe they are a great improvement upon our present very defective laws, and that their adoption, with some modifications, will give us a basis upon which a few years of experience, will enable us to erect as good a system of laws as is possessed by any State in the Union.

It is to be expected that the Reports will meet with opposition, for no great reforms in the principles or the practice of the law, have ever been introduced into any country, without encountering strong opposition from a large class, who are always averse to any innovations upon established usages, and I regret to say, that a majority of the legal profession are generally to be found in that class.

I trust, however, that a majority of the Legislature will not be influenced by any such considerations, but that they will, in obedience to what I believe to be the public sentiment of the State, give to these Reports a careful examination, and

adopt them with such amendments as may appear to be necessary.

While it is the general expectation that your time will be mainly occupied in the perfection of such measures as were left unfinished at the close of the first part of your session, there is one measure of acknowledged interest to the entire State, which I consider it my duty to press upon your consideration. This is the adoption of some system for the survey and sale of our public domain, which has heretofore been prevented, on account of the lien hanging over it, for the security of our public debt, which is now happily extinguished.

It occurs to me that a system similar to that practiced by the United States, is the best that can be devised, and that the minimum price of their sale, should be established at one dollar per acre, which is one-fifth less than the minimum price of the United States, whose lands are generally far inferior in value to ours.

Any system that may be adopted, should contain a provision for the protection of actual settlers, by which, when any lands are brought into market, they should have the first right to take, at their option, a quarter or half a section including their improvements, at the minimum price established by law for their sale.

The proceeds of the sale of our public lands, I think, should constitute a fund to be hereafter appropriated for purposes of education and internal improvements.

In connection with the adoption of any system for the sale of these lands, a law should be passed, limiting the time within which all claims upon them should be located and surveyed, or be thereafter forever barred.

There is much uncertainty in regard to the time when the act to fix the salaries of the Judges of the Supreme and District Courts takes effect.

One Judge was elected the day before its passage who could not qualify, according to law, until sixty days afterwards. Another has been elected since its passage, and an election for all the Judges of the Supreme Court and most of the other Judges of the District Courts will be held on the first Monday in August next. It therefore becomes important to remove this uncertainty; either by the passage of a law declaring the intention of the Legislature on the subject, at the time of its enactment, if such a course shall be deemed consistent with the Constitution, or

by the passage of a law declaring that the act shall take effect immediately.

I indulge the hope, that a spirit of harmony and conciliation will prevail in all your deliberations, and I assure you that I shall most cheerfully co-operate with you in all measures calculated to promote the welfare of our common constituents.

E. M. PEASE.

On motion of Mr. Caldwell, that part of the message referring to the public domain, was referred to the committee on Public Lands.

On motion of Mr. Guinn, that part of the message having reference to the Code, was referred to the Judiciary committee.

On motion of Mr. Flanagan, 500 copies of the Message were ordered to be printed.

On motion of Mr. Taylor of Cass, the Senate adjourned until 8 o'clock, A. M., to-morrow.

WEDNESDAY, July 9, 1856.

The Senate was called to order by the President, pursuant to adjournment—prayer by the Chaplain—roll called—quorum present. The journal of yesterday was read and adopted.

Mr. Lott presented the memorial of Alex'r. M. Morrow; referred to the Committee on Public Lands.

Mr. Lott also presented the petition of W. W. Benson; referred to the Committee on the Judiciary.

Mr. Lott also presented the memorial of Mrs. Lucinda Alexander; referred to the Committee on Private Land Claims, No. 2.

Mr. Guinn presented the petition of Pleasant Pagett; referred to the Committee on Public Lands.

Mr. Taylor of Cass, offered the following resolution:

Resolved, That the Comptroller of the State be required to furnish to the Senate, a statement of the amount paid by each branch of the present Legislature, to this date, for printing, papers and postage—Adopted.

Mr. Armstrong introduced a bill to incorporate the Mechanics' Institute; read 1st and 2nd times and referred to the Committee on the Judiciary.

Mr. Taylor of Cass, introduced a bill for the relief of Absalom J. Lott; read 1st and 2nd times and referred to the Committee on Private Land Claims No. 2.

Mr. Guinn introduced a bill for the relief of Victor Thoma-